IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

INSOLVENCY PETITION NO.54 OF 2005

Re : Ganesh Sugar Supply Co. & Ors. ...Debtors.
Ex-parte:
Ramesh Motiram Jagtiani. ..Petg. Creditor.

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Ms. K.S. Lalwani for the Petitioning Creditor.

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**CORAM : DR.D.Y.CHANDRACHUD, J.**

**August 1, 2006.**

**P.C.**

The insolvency notice was issued on 13th August 2004 based on a decree on admission, passed by the City Civil Court. On a Notice of Motion taken out by the Debtors for setting aside the the insolvency notice, a conditional order was passed by this Court on 1st February 2005. There has been breach of the order. The act of insolvency was complete on 1st March 2005. The petition has been served on 5th August 2005. There is no reply. The petition is made absolute in terms of prayer clause (a). However, having regard to the provisions of Section 90(1) of the Presidency Towns Insolvency Act, 1909 and since Petition Nos.43 of 2005 and 44 of 2005 have already been allowed, it would be

appropriate to direct that the proceedings arising out of the present petition be consolidated with the proceedings in the earlier petitions. In these circumstances, a separate advertisement is dispensed with in this case.

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